

# Senate File 412 - Introduced

SENATE FILE \_\_\_\_\_  
BY McKINLEY

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act providing for a special education alternative reading  
2 instruction pilot project and including a contingency clause  
3 and an effective date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1660XS 83  
6 ak/rj/24

PAG LIN

1 1 Section 1. SPECIAL EDUCATION PILOT PROGRAM == READING  
1 2 LABORATORY.  
1 3 1. Recognizing the state's desire to assist children to  
1 4 grow, develop, and learn to their fullest extent and empower  
1 5 young readers in grades kindergarten through three, and to  
1 6 support student achievement and overall academic performance,  
1 7 and recognizing that instructional methodologies and  
1 8 strategies are important considerations in determining the  
1 9 appropriate education for a child with a learning disability,  
1 10 a reading laboratory pilot program is established. The  
1 11 objective of the program shall be to evaluate methodologies  
1 12 and strategies used to teach reading that could be implemented  
1 13 to ensure that the state is meeting the unique needs of  
1 14 individual children; and to assist with student placement  
1 15 decisions in education programs, including placement in the  
1 16 special education program.  
1 17 2. The program shall be administered by the department of  
1 18 education, and shall afford a private education provider the  
1 19 opportunity to demonstrate effective methodologies and  
1 20 strategies in teaching reading for students in grades  
1 21 kindergarten through three identified with special needs. A  
1 22 private education provider shall be selected by the  
1 23 department, which meets the following criteria from among  
1 24 those submitting an application for consideration:  
1 25 a. The provider shall be doing business in at least two  
1 26 locations in a county which contains a school district with an  
1 27 enrollment of at least twenty-five thousand pupils in grades  
1 28 kindergarten through twelve.  
1 29 b. The provider shall possess at least fifteen years of  
1 30 business experience in the application of methodologies and  
1 31 strategies designed to improve reading skills for students in  
1 32 grades kindergarten through twelve.  
1 33 c. The provider shall employ at least forty trained staff,  
1 34 including at least one staff member who is a licensed special  
1 35 education consultant.  
2 1 d. The provider shall be able to document success in  
2 2 improving student achievement in reading skills in grades  
2 3 kindergarten through three.  
2 4 3. The department shall develop private provider  
2 5 application forms, and shall publish notice and provide  
2 6 information on the department's internet site regarding the  
2 7 existence of the pilot program, application procedures, and  
2 8 program participation. The private education provider which  
2 9 meets all of the eligibility criteria set forth in this  
2 10 subsection shall be selected by the department, and the  
2 11 selection process shall be conducted without bidding.  
2 12 4. Students in grades kindergarten through three, residing  
2 13 in a county which contains a school district with an  
2 14 enrollment of at least twenty-five thousand students in grades  
2 15 kindergarten through twelve, and who have been identified by  
2 16 the school district as qualifying for special education  
2 17 services with mild or moderate learning disabilities involving

2 18 difficulty in reading, shall be eligible to participate in the  
2 19 program. School districts shall be responsible in  
2 20 coordination with the local area education agency for  
2 21 determining the students who meet the eligibility  
2 22 requirements, for notifying parents and guardians regarding  
2 23 the existence of the program and providing an application form  
2 24 and any other necessary information, and for submitting  
2 25 applications to the department. The department shall select a  
2 26 maximum of fifty students from those students submitting an  
2 27 application. Selection of students shall be done randomly in  
2 28 the event that more than fifty students submit applications,  
2 29 beginning with students in the third grade, then second, then  
2 30 first, and finally kindergarten, with students eligible for  
2 31 free and reduced-price meals under the federal National School  
2 32 Lunch Act and the federal Child Nutrition Act of 1966, 42  
2 33 U.S.C. } 1751-1785, given priority. Additional eligibility  
2 34 requirements may be established by the private education  
2 35 provider, including intelligence quotient testing scores, in  
3 1 order to provide reliable and beneficial program results.  
3 2 Students submitting an application shall be provided with an  
3 3 intelligence test selected by the department and administered  
3 4 by the local area education agency. The results of the test  
3 5 shall remain confidential and shall only be used by the area  
3 6 education agency to determine eligibility and participation in  
3 7 the pilot program.

3 8 5. Pilot program instruction shall be provided on the  
3 9 premises of the private education provider. Student  
3 10 instruction shall be provided over a nine-week period during  
3 11 the months of June, July, and August 2009. The private  
3 12 education provider shall ensure that each student receives  
3 13 reading instruction appropriate for the child, for a minimum  
3 14 of seven hours per week, with the instruction received  
3 15 considered separate and distinct from the student's current  
3 16 individual education plan. The school district shall provide  
3 17 transportation for the student to the private education  
3 18 provider's location, or shall provide reimbursement for  
3 19 transportation to parents or guardians in an amount determined  
3 20 by the school district board of directors.

3 21 6. The private education provider shall gather performance  
3 22 data to provide for program accountability, including but not  
3 23 limited to pretesting and posttesting, to measure improvement  
3 24 by each student during instruction, and upon the conclusion of  
3 25 the program. The private education provider shall consult  
3 26 with the local area education agency for assistance with  
3 27 pretesting and posttesting, and the area education agency  
3 28 shall approve the tests utilized. The private education  
3 29 provider shall provide progress reports to the parents or  
3 30 guardians of participating students, to the school district in  
3 31 which the participating students are enrolled, and to the  
3 32 department. The department, in conjunction with the  
3 33 legislative services agency and the private provider, shall  
3 34 review and analyze the data collected and submitted by the  
3 35 private education provider. Full assurance relating to  
4 1 confidentiality of identification of individual students'  
4 2 scores shall be provided. The department shall submit a cost=  
4 3 benefit analysis report to the members of the general assembly  
4 4 by January 1, 2010, summarizing the results of the pilot  
4 5 program. The report shall include an analysis of the student  
4 6 improvement as measured through test scores, and a short-term  
4 7 and long-term cost savings analysis for implementing the  
4 8 private education provider's instruction methodology and  
4 9 strategies. The analysis of the cost savings shall include  
4 10 savings due to a reduction in the statewide average length of  
4 11 participation in the special education program. The report  
4 12 shall also include recommendations relating to statewide  
4 13 implementation of the pilot program. The legislative services  
4 14 agency shall conduct a survey of other reading studies  
4 15 conducted in the state and shall include in the report results  
4 16 relating to public school reading initiatives. The department  
4 17 shall submit a follow-up report by January 1, 2011, tracking  
4 18 continued improvement by students who participated in the  
4 19 program, and including the number of students who are no  
4 20 longer identified as requiring special education instruction.

4 21 7. The establishment of the pilot program pursuant to this  
4 22 section shall be contingent upon the appropriation of an  
4 23 amount sufficient to fund the costs of the program for the  
4 24 fiscal year beginning July 1, 2009, and ending June 30, 2010.

4 25 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
4 26 immediate importance, takes effect upon enactment.

4 27 EXPLANATION

4 28 This bill provides for the establishment of a special

4 29 education alternative instruction pilot program focusing on  
4 30 improving reading skills in grades kindergarten through three.  
4 31 The bill provides intent language supporting the  
4 32 establishment of the program. The bill states that the  
4 33 objective of the program shall be to evaluate methodologies  
4 34 and strategies used to teach reading that could be implemented  
4 35 to ensure that the state is meeting the unique needs of  
5 1 individual children, and to assist with student placement  
5 2 decisions in education programs, including placement in the  
5 3 special education program.

5 4 The program shall be administered by the department of  
5 5 education, and shall involve instruction by a private  
5 6 education provider intended to demonstrate effective  
5 7 methodologies and strategies in teaching reading for students  
5 8 in grades kindergarten through three identified with special  
5 9 needs. The bill provides that a private provider shall be  
5 10 selected by the department which meets specified criteria.  
5 11 The department shall develop private provider application  
5 12 forms and shall publish notice regarding the program, and the  
5 13 selection process shall be conducted without bidding.

5 14 The bill provides that eligible students shall be in grades  
5 15 kindergarten through three, residing in a county containing a  
5 16 school district with an enrollment of at least 25,000 students  
5 17 in grades kindergarten through 12, and shall have been  
5 18 identified as qualifying for special education services with  
5 19 mild or moderate learning disabilities involving difficulty in  
5 20 reading. The bill provides that school districts shall be  
5 21 responsible for determining the students who meet the  
5 22 eligibility requirements, in coordination with the local area  
5 23 education agency. The bill provides that the department shall  
5 24 select a maximum of 50 students from those students submitting  
5 25 an application. The bill provides that additional eligibility  
5 26 requirements may be established by the private provider, and  
5 27 that students submitting an application shall be provided with  
5 28 an intelligence test selected by the department and  
5 29 administered by the local area education agency. The bill  
5 30 provides that the results of the test shall remain  
5 31 confidential and shall only be used by the area education  
5 32 agency to determine eligibility and participation in the pilot  
5 33 program.

5 34 The bill provides that instruction shall be provided on the  
5 35 premises of the private provider over a nine-week period  
6 1 during the months of June, July, and August 2009, for a  
6 2 minimum of seven hours per week, with the instruction received  
6 3 considered separate and distinct from the student's current  
6 4 individual education plan. The bill provides that the school  
6 5 district shall provide transportation for the student to the  
6 6 private provider's location, or reimbursement to parents or  
6 7 guardians for transportation expenses.

6 8 The bill provides that the private provider shall gather  
6 9 performance data to provide for program accountability, with  
6 10 the assistance of the local area education agency, and shall  
6 11 provide progress reports to the parents or guardians of  
6 12 participating students, to the school district in which the  
6 13 participating students are enrolled, and to the department.  
6 14 The bill provides that the department, in conjunction with the  
6 15 legislative services agency and the private provider, shall  
6 16 review and analyze the data, with full assurance relating to  
6 17 confidentiality of identification of individual students'  
6 18 scores, and that the department shall submit a cost-benefit  
6 19 analysis report to the members of the general assembly by  
6 20 January 1, 2010, summarizing the results of the pilot program.  
6 21 The bill provides that the report shall include an analysis of  
6 22 the student improvement as measured through test scores, a  
6 23 short-term and long-term cost savings analysis for  
6 24 implementing the provider's instruction methodology and  
6 25 strategies, recommendations relating to statewide  
6 26 implementation of the program, and results relating to public  
6 27 school reading initiatives surveyed by the legislative  
6 28 services agency. The bill provides for a follow-up progress  
6 29 report regarding students who had participated in the program  
6 30 by January 1, 2011.

6 31 The bill provides that establishment of the program shall  
6 32 be contingent upon an appropriation to fund the costs of the  
6 33 program for the fiscal year beginning July 1, 2009, and ending  
6 34 June 30, 2010.

6 35 The bill takes effect upon enactment.